

NEVADA LEGAL SERVICES

Kristopher Pre (NV 14106)

530 South 6th Street

Las Vegas, NV 89101

Tel: (702) 388-1641

Fax: (702) 386-0404

BRANCART & BRANCART

Christopher Brancart (NV 8969)

cbrancart@brancart.com

Liza Cristol Deman (CA 190516)

lcristoldeman@brancart.com

Pro Hac Vice

Post Office Box 686

Pescadero, CA 94060

Tel: (650) 879-0141

Fax: (650) 879-1103

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CANDY TORRES,

Plaintiff,

vs.

ALLAN ROTHSTEIN, et al.

Defendants.

No. 2:19-cv-00594-APG-EJY

**JOINT APPLICATION AND
STIPULATION TO CONTINUE
TRIAL FOR 120 DAYS TO
COMPLETE SETTLEMENT**

Trial: May 16-17, 2023

On Friday, May 12, 2023, the remaining parties in this matter, Candy Torres and Allan Rothstein, reached a settlement in principle regarding all claims for relief. Plaintiff circulated a memorandum of understanding outlining the terms (“MOU”), which has been signed by all parties and counsel. Accordingly, the parties respectfully request that the Court continue the trial in this matter, currently set to resume on May 16, 2023, for approximately 120 days to give the parties sufficient time to prepare and sign a formal settlement agreement and to ensure that the terms of the agreement are met.

There is good cause to grant this request.

1 First, it is jointly requested by plaintiff and defendant.

2 Second, the continuance will conserve judicial resources because the parties
3 agree in principle on the terms of settlement. The parties anticipate that they can
4 work together to draft a mutually-agreeable formal settlement agreement that will
5 resolve the case entirely. The settlement will avert the need for this Court to devote
6 additional time and resources to the case.

7 Third, the parties will draft the settlement agreement and circulate it today,
8 May 15, 2023, rather than spending time preparing to resume trial. The parties
9 anticipate that it may take several days to finalize all terms and circulate the final
10 agreement for signatures.

11 Fourth, the parties jointly request that the Court continue trial rather than
12 dismiss the case, because the settlement agreement will require Mr. Rothstein to
13 make payments to plaintiff over a period of 120 days. According to the MOU, Mr.
14 Rothstein is obligated to make small payments on June 14, July 14, and August 14,
15 2023, and the final (and largest) payment on September 12, 2023. In the event that
16 Mr. Rothstein does not substantially comply with these deadlines, the settlement
17 agreement will be voided and the parties will need to return to Court to complete
18 the trial.

19 Accordingly, the parties respectfully apply for and stipulate to a continuance

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1 of the trial for approximately 120 days so that they may finalize their settlement
2 agreement and ensure compliance with the terms.

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4 * * *

5 Dated: May 15, 2023.

6 Respectfully submitted,

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8 NEVADA LEGAL SERVICES
9 Kristopher Pre (NV 14106)
10 kpre@nevadalegalservices.org
11 530 South 6th Street
12 Las Vegas, NV 89101
13 Tel: (702) 388-1641

14 Attorneys for Plaintiff

LAS VEGAS DEFENSE GROUP, LLC

15 /s/ *Adam M. Solinger*
16 Michael L. Becker (NV 8765)
17 Adam M. Solinger (NV 13963)
18 2970 W. Sahara Avenue
19 Las Vegas, NV 89102
20 Tel: (702) 333-3673

21 Attorneys for Defendant

22 BRANCART & BRANCART

23 /s/ *Liza Cristol-Deman*
24 Christopher Brancart (NV 8969)
25 cbrancart@brancart.com
26 Liza Cristol Deman (CA 190516)
27 lcristoldeman@brancart.com
28 *Pro Hac Vice*
Post Office Box 686
Pescadero, CA 94060
Tel: (650) 879-0141
Fax: (650) 879-1103

Attorneys for Plaintiff

ORDER

22 The parties have entered into a “settlement in principle” and have stipulated to
23 continue the conclusion of this trial for 120 days to complete the settlement. ECF
24 No. 258. I grant the stipulation and reschedule the trial. The trial in this matter
25 will resume on September 27 and 28, 2023 at 9:00 a.m. I will conduct a status
26 conference on September 13, 2023 at 9:00 a.m. by videoconference.

27 IT IS SO ORDERED:

28 Dated: May 15, 2023

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ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE